

REMARKS

Claims 1, 2 and 11 are pending and at issue.

The rejection based on Wood (GB 2 074 010 A) is respectfully traversed. Claim 1 characterizes the drag grip as being "joined to the arm loops solely at a common juncture". This structure is neither shown nor suggested in Wood and the shortcomings of Wood are highlighted by the failure of the Office Action to either acknowledge or address this structure. Indeed, it would hard to address this structure because the broad embodiments cited in the rejection clearly disclose that the drag grip 5 is not joined to any arm loops, let alone joined to the arm loops solely at a common juncture as recited in the claims. More specifically, the embodiments of Figs. 1 and 2 shows that the grip 5 is joined to a reinforcement 1B by strap 4 and is not joined in any fashion to the two separate straps 3 that form each of the arm loops. Similarly, the strap 4 of the grip 5 of the embodiments of Fig. 7 is not joined to the two separate straps 11 and 12 that form the arm loops of the embodiments of Figs. 7 and 8. In this regard, it is noted that the Office Action mischaracterizes the straps 13 and 14 as arm loops that are "adapted to receive a separate arm of a wearer", as recited in the claims, when in fact the straps 13 and 14 do not receive the arms of a wearer, but rather are clearly central located straps that fall over the chest and back of a wearer. For this reason alone, the rejection based on Wood is improper and should be withdrawn.

The rejection correctly acknowledges that Wood fails to disclose a drag harness wherein "a single continuous length of strapping forms the arm loops and the drag grip", but attempts to overcome the shortcoming of Wood with a naked assertion that it would

“have been an obvious mechanical expediency” to form the arm loops of Wood as a continuous length of strapping, and the additional naked assertion that this recitation in the claims is “not deemed to be an obvious patentable distinction.” Absolutely no supporting rationale or evidence is provided for either of these naked assertions. Because these types of assertions could be stated with respect to any invention, more is required to establish a *prima facie* case of obviousness under §103 than unsupported assertions that a recited structure is “an obvious mechanical expediency” or that the recited structure is simply “not deemed to be an obvious patentable distinction”. In any event, the assertions are clearly incorrect as demonstrated by the structure shown in Wood wherein it is a specific object of the invention that the harness forms “wholly or partly an integral part of the garment” and that the straps “constituting the harness are secured to the material of the garment leaving only the main loop-like portions, i.e., the epaulette-like handles of the soldier regions and the center back loop free are open . . .” This objective is accomplished by securing each strap of the harness “wholly or partly along its complete length to the material of the garment . . .” It cannot fairly be argued that a single continuous length of strapping would be a desirable modification to such structure because of the obvious complications in attaching such a continuous strap over almost its complete length to a garment in order to form the harness disclosed in Wood. It is simply illogical to assert that it would be desirable to attempt to secure a continuous length of strapping to the garment, as required in Wood, rather than to utilize the individual straps as disclosed in Wood which are each cut to length for their specific location on the garment. Furthermore, it does not appear that a single continuous length of strapping could even form a harness such as

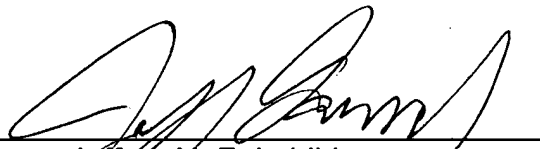
shown in Wood, or at least form a harness as shown in Wood without requiring the harness to repeatedly double back on itself, thereby requiring additional material and further complicating assembly. Accordingly, for these additional reasons alone, the rejection based on Wood is improper and should be withdrawn.

In view of the foregoing, Applicants respectfully request reconsideration of the rejections and allowance of the case.

Respectfully submitted,

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